

515K.2 Definitions.

As used in [this chapter](#), unless the context otherwise requires:

1. “*Aggregator site*” means an internet site that provides access to information regarding insurance products, including product and insurer information, that is obtained from more than one insurer for use by consumers in comparison shopping.

2. “*Blanket travel insurance*” means a policy of travel insurance issued to any eligible group that provides coverage for specific classes of persons as defined in the policy, with coverage provided to all members of the eligible group without a separate charge to individual members of the eligible group.

3. “*Cancellation fee waiver*” means a contractual agreement between a supplier of travel services and the supplier’s customers to waive some or all of the nonrefundable cancellation fee provisions of the supplier’s underlying travel contract with or without regard to the reason for cancellation or to the form of reimbursement. A cancellation fee waiver shall not be considered insurance.

4. “*Commissioner*” means the commissioner of insurance.

5. “*Designated responsible producer*” means an employee of a limited lines travel insurance producer who is a licensed individual insurance producer and who is designated by the limited lines travel insurance producer as the individual responsible for compliance with the travel insurance laws and regulations applicable to the limited lines travel insurance producer and the limited lines travel insurance producer’s registrants.

6. “*Eligible group*” means two or more persons who are engaged in a common enterprise, or have an economic, educational, or social affinity or relationship, including but not limited to any of the following:

a. An entity engaged in the business of providing travel or travel services, including but not limited to a tour operator, a lodging provider, a vacation property owner, a hotel, a resort, a travel club, a travel agency, a property manager, a cultural exchange program, and a common carrier or the operator, owner, or lessor of a means of transportation of passengers including but not limited to an airline, a cruise line, a railroad, a steamship company, and a public bus carrier, where with regard to any particular travel or type of travel or travelers, all members or customers have a common exposure to risk attendant to such travel.

b. A college, school, or other institution of learning, covering students, teachers, employees, and volunteers of the college, school, or other institution of learning.

c. An employer, covering any group of employees, volunteers, contractors, and members of the employer’s board of directors; and all dependents and guests of an employee, a volunteer, a contractor, or a member of the employer’s board of directors.

d. A sports team, sports camp, or a sponsor of a sports team or sports camp, covering participants, members, campers, employees, officials, supervisors, or volunteers of the sports team, sports camp, or the sponsor of a sports team or sports camp.

e. A religious, charitable, recreational, educational, or civic organization, covering any group of members, participants, or volunteers of the religious, charitable, recreational, educational, or civic organization or a branch thereof.

f. A financial institution, a financial institution vendor, or a parent holding company, trustee, agent of, or agent designated by, one or more financial institutions or financial institution vendors, including account holders, credit card holders, debtors, guarantors, or purchasers.

g. An incorporated or unincorporated association, including a labor union, that has a common interest, a constitution, and bylaws; and that is organized and maintained in good faith for a purpose other than obtaining insurance for the members or participants of the association.

h. A trust or a trustee of a fund established, created, or maintained for the benefit of and covering members, employees, or customers, and that is subject to the commissioner permitting the use of a trust and the premium tax provisions under [section 515K.8](#), of one or more associations meeting the requirements under paragraph “g”.

i. An entertainment production company covering any group of participants, volunteers, audience members, contestants, or workers.

j. A volunteer fire department, ambulance or rescue organization, first aid organization, civil defense organization, and similar volunteer organizations.

k. A preschool, or a day care facility for children or adults.

l. An organization for senior citizens.

m. An automobile or truck rental or leasing company that covers a group of individuals who may become renters, lessees, or passengers as defined by an individual's travel status on the rented or leased automobile or truck. The common carrier, the operator, owner, or lessor of a means of transportation, or the automobile or truck rental or leasing company is the policyholder under a policy to which [this chapter](#) applies.

n. Any other group, as determined by the commissioner by rule, that the members are engaged in a common enterprise, or have an economic, educational, or social affinity or relationship, and for which issuance of a travel insurance policy is not contrary to the public interest.

7. "Fulfillment materials" means documentation sent to the purchaser of a travel protection plan that confirms the purchase and that provides details of the travel protection plan coverage and the travel assistance services.

8. "Group travel insurance" means travel insurance that is issued to an eligible group.

9. "Limited lines travel insurance producer" means any of the following:

a. A licensed managing general agent or a licensed third-party administrator.

b. A licensed insurance producer, including a licensed limited lines producer.

c. A travel administrator.

10. "Offer and disseminate" means to provide general information regarding travel insurance or a travel protection plan, including a description of the coverage and price, and to process an application and collect premiums for travel insurance or a travel protection plan.

11. "Primary certificate holder" means an individual who has elected and purchased travel insurance under a group policy.

12. "Primary policyholder" means an individual who has elected and purchased individual travel insurance.

13. "Travel administrator" means a person who directly or indirectly underwrites, collects charges, collateral, or premiums from, or adjusts or settles claims on, residents of this state in connection with travel insurance. "Travel administrator" shall not include a person whose only actions that would otherwise cause the person to be considered a travel administrator are any of the following:

a. A person that works for a travel administrator to the extent that the person's activities are subject to the supervision and control of the travel administrator.

b. A person that is an insurance producer and who sells insurance or is engaged in administrative and claims-related activities within the scope of the person's producers license.

c. A person that is a travel retailer that offers and disseminates travel insurance and that is registered under the license of a limited lines travel insurance producer.

d. An individual who adjusts or settles claims in the normal course of the individual's practice or employment as an attorney and who does not collect charges or premiums in connection with insurance coverage.

e. A business entity that is affiliated with a licensed insurer while acting as a travel administrator for the direct and assumed insurance business of an affiliated insurer.

14. "Travel assistance services" means a non-insurance, non-insurance-related service for which a consumer is not indemnified based on a fortuitous event and for which provision of the service does not result in the transfer or shifting of risk that constitutes the business of insurance, including but not limited to any of the following services:

a. Security advisories.

b. Destination information.

c. Vaccination and immunization information services.

d. Travel reservation services.

e. Entertainment planning.

f. Activity and event planning.

- g. Translation assistance.
- h. Emergency messaging.
- i. International legal and medical referrals.
- j. Medical case monitoring.
- k. Coordination of transportation arrangements.
- l. Emergency cash transfer assistance.
- m. Medical prescription replacement assistance.
- n. Passport and travel document replacement assistance.
- o. Lost luggage assistance.
- p. Concierge services.
- q. Any other service furnished in connection with planned travel.

15. a. *“Travel insurance”* means insurance coverage for personal risks incident to planned travel including all of the following:

- (1) Interruption or cancellation of a trip or event.
- (2) Loss of baggage or personal effects.
- (3) Damage to an accommodation or to a rental vehicle.
- (4) Sickness, accident, disability, or death occurring during travel.
- (5) Emergency evacuation.
- (6) Repatriation of remains.
- (7) Any other contractual obligation to indemnify or pay a specified amount to a traveler upon a determinable contingency related to travel as approved by the commissioner.

b. *“Travel insurance”* shall not include a major medical plan that provides comprehensive medical protection for a traveler for a trip that lasts longer than six months, including a traveler who works or resides overseas as an expatriate, or any other product that requires a specific insurance producer license.

16. *“Travel protection plan”* means a product that provides one or more of any of the following:

- a. Travel insurance.
- b. Travel assistance services.
- c. Cancellation fee waivers.

17. *“Travel retailer”* means a business entity that makes, arranges, or offers planned travel and that may offer and disseminate travel insurance as a service to the business’s customers on behalf of and under the direction of a limited lines travel insurance producer.

[2022 Acts, ch 1035, §2](#)

NEW section